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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
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12 LOUIS T. RECHT,

13 Plaintiff,

14 v.

15 CLYDE TEMPLIN, et al.,

16 Defendants.
17

Case No.: C 07-4423 WDB

**ORDER DISMISSING
COMPLAINT AND DENYING
APPLICATION TO PROCEED IN
FORMA PAUPERIS**

18 Pending before the Court is Plaintiff's Application to Proceed In Forma Pauperis,
19 filed on August 27, 2007. Pursuant to 28 U.S.C. § 1915(e), where a plaintiff seeks to
20 proceed in forma pauperis, the Court must dismiss the complaint if it determines that the
21 complaint is frivolous or malicious, or that the plaintiff has failed to state a claim upon
22 which relief can be granted. 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

23 Here, Plaintiff's Complaint falls directly within the category of pleadings
24 identified in § 1915(e)(2)(B)(i) and (ii). Similar to earlier complaints filed by Plaintiff in
25 this Court, the instant complaint is "an incoherent stream of consciousness which could
26 not reasonably be characterized as a complaint." See Order of Dismissal in *Recht v.*
27 *Army*, C 07-2670 JL, filed May 24, 2007. Only one example is the opening sentence of
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1 Plaintiff's complaint, which reads: "Since 1960 February Sixteenth the United States
2 CIA/FBI and Actor and Producers and the Persidents and Vice Presidents of the United
3 States have sealing all products even weponds illegally and giving everything to terrorist
4 such as property's Woodbe Island, ships, tanks and weponds and nucular plants and
5 weponds, cocaine and herion using my social security number . . ." See Complaint at p.
6 62 (page 62 is the first page of the Complaint) (misspellings in original). The Complaint
7 continues in a similar manner for multiple pages without setting forth a viable claim
8 against Defendants. There is no indication that Plaintiff can cure the deficiency.

9 The Court also notes that Plaintiff has filed at least ten cases within the last year.
10 As noted by Magistrate Judge James in dismissing one of these cases just two days ago,
11 "[t]hese cases show a flagrant abuse of the court system by someone who has filed
12 floridly delusional complaints." See Order Dismissing Case in *Recht v. Warren*
13 *Productions*, C 07-4410 MEJ, filed on August 29, 2007.

14 Accordingly, pursuant to 28 U.S.C. § 1915(e)(2)(B), Plaintiff's Complaint is
15 DISMISSED and her application to proceed in forma pauperis is DENIED as moot.¹
16 IT IS SO ORDERED.

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18 Dated: 9-4-07

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21 WAYNE D. BRAZIL.
22 United States Magistrate Judge
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28 ¹ A Magistrate Judge may not deny an application to proceed in forma pauperis or
issue an Order dismissing a case without the consent of plaintiff. See *Tripati v. Rison*, 847 F.2d
548 (9th Cir. 1988). Plaintiff here has filed a consent to Magistrate Judge jurisdiction and, thus,
this dispositive Order is permissible.